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MAIL STOP PCT

Attorney Docket: 27072U

Date: March 7, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown
DIETZEL, et al. Examiner: Unknown
Serial No.: 10/559,383
Filed: December 6, 2005
International Application: PCT/EP04/51067
International Filing Date: June 9, 2004
Title: **FORMOTEROL AND CICLESONIDE COMBINATION**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 35 cited References;
- 3) Copies for 27 of the 35 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC


 Gary M. Nathan, Reg. No. 26,965
 Sheldon M. McGee, Reg. No. 50,454
 Customer No. 34375

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- ☐ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

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[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

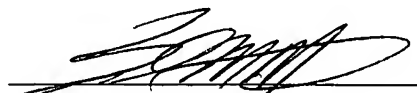
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC



Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

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FORM PTO-1449

In re Application of:
DIETZEL, et al.Art Unit:
UnknownSerial No:
10/559,383Filed:
December 6, 2005Examiner:
Unknown**INFORMATION DISCLOSURE CITATION****U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
	A1	2005/0245493	Marx et al.	29 Aug. 2003
	A2	3,994,974	Murakami et al.	7 May 1974
	A3	5,482,934 (corresponds to DE 41 29 535 A1)	Calatayud et al.	20 Jul. 1994
	A4	5,733,901 (corresponds to WO 94/22899 A1)	Gutterer	31 Mar. 1994

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation
	A5	41 29 535 A1	EP	No
	A6	195 41 689 A1	DE	Abstract
	A7	0 372 777 B1	EP	N/A
	A8	0 504 112 A2	EP	Abstract
	A9	0 553 298 B1	EP	N/A
	A10	247,680	GB	N/A
	A11	91/04011 A1	WO	N/A
	A12	91/11173 A1	WO	N/A
	A13	91/11495 A1	WO	Abstract
	A14	91/14422 A1	WO	N/A
	A15	92/11190 A2	WO	N/A
	A16	93/11743 A1	WO	N/A
	A17	93/11745 A1	WO	N/A
	A18	93/11747 A1	WO	N/A
	A19	94/22899 A1	WO	Abstract
	A20	96/32150 A1	WO	N/A

OTHER

Examiner Initial	(Including Author, Title, Date, Pertinent Pages, etc.)
	A21
	A22
	A23

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE CITATIONIn re Application of:
DIETZEL, et al.Art Unit:
UnknownSerial No:
10/559,383Filed:
December 6, 2005Serial No:
10/559,383**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue / Publication Date	Inventor	Filed
	A24	5,795,564	18 Aug. 1998	Aberg et al.
	A25	6,068,833	30 May 2000	Aberg et al.
	A26	6,413,497 (corresponds to WO 91/11495 A1)	2 Jul. 2002	Weil et al.
	A27	6,475,467 (corresponds to WO 00/07567 A1)	5 Nov. 2002	Keller et al.

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Examiner Initial	Document Number	Publication Date	Country	Translation
	A28	97/47286 A1	18 Dec. 1997	WO
	A29	98/21175 A1	22 May 1998	WO
	A30	98/52542 A1	26 Nov. 1998	WO
	A31	99/17754 A1	15 Apr. 1999	WO
	A32	00/07567 A1	17 Feb. 2000	WO
	A33	02/30394 A2	18 Apr. 2002	WO
	A34	2004/052374	24 Jun. 2004	WO
	A35	2004/103379 A1	2 Dec. 2004	WO
	A36	2004/105727 A2	9 Dec. 2004	WO
	A37	2005/004853 A1	20 Jan. 2005	WO
	A38	2005/034911 A1	21 Apr. 2005	WO
	A39			
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	A45			
	A46			

OTHER

Examiner Initial	(Including Author, Title, Date, Pertinent Pages, etc.)
	A47
	A48
	A49

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